

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION

BOARD ORDER NO. R6T-2004-0025  
NPDES NO. CA G916001

**UPDATED WASTE DISCHARGE REQUIREMENTS AND NATIONAL POLLUTANT  
DISCHARGE ELIMINATION SYSTEM PERMIT FOR SURFACE WATER DISPOSAL  
OF TREATED GROUND WATER**

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Lahontan Region

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The California Regional Water Quality Control Board, Lahontan Region (Regional Board), finds:

1. Discharger

Individuals, public agencies, private businesses, and other legal entities (hereafter Discharger) often need to discharge ground water from an active pump-and-treat system. The ground water has been treated to remove detectable pollutants and toxins. This Region-wide General National Pollutant Discharge Elimination System (NPDES) Permit (General Permit) regulates these types of treated ground water discharges to surface waters of the United States. The responsible party(ies) and property owner, or solely the property owner, are considered as "Discharger" for the purposes of this Permit.

2. Justification for the General Permit

Numerous unauthorized releases of petroleum product and chlorinated hydrocarbon pollutants have impacted ground waters of the Lahontan Region. Releases occur from leaking underground and aboveground fuel tanks and other unauthorized discharges. Several treatment technologies currently employed for remediation include the extraction and aboveground treatment of ground water. Such methods may include disposal to nearby surface waters.

The discharge of water from a ground water treatment unit to surface waters is a discharge of waste that could affect the quality of the waters of the United States. This Permit covers the discharge of treated ground water from cleanups of pollution, other than through a community wastewater collection and treatment facility, to surface waters of the United States.

40 Code of Federal Regulations (CFR) 122.28 provides for the issuance of general permits to regulate discharges of waste which are generated from similar sources. On September 22, 1989, the United States Environmental Protection Agency (USEPA) and the State Water Resources Control Board (SWRCB) entered into a memorandum of agreement which authorized and established procedures for the SWRCB and the Regional Boards to issue

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general National Pollutant Discharge Elimination System (NPDES) Permits in accordance with 40 CFR 122.28.

3. Permit History

A general NPDES Permit No CA G916001 (Board Order No. 6-98-75) was adopted on November 5, 1998.

4. Reason For Action

Board Order No. 6-98-75 is being renewed because it expired on November 6, 2003. However, the existing general Permit remains in force until this updated general Permit is issued. Changes in the updated NPDES Permit include adding new constituents and/or bringing analytical detection limits and effluent/discharge limitations up-to-date including requiring analyses for certain constituents, including but not limited to, total petroleum hydrocarbons, ethylbenzene, methyl tertiary-butyl ether (MTBE), tertiary butyl alcohol (TBA) and ethanol, and making minor adjustments to the monitoring and reporting program. Additionally, this permit requires compliance with the California Toxics Rule (CTR).

5. Obtaining Permit Authorization

To obtain authorization for discharges under this General Permit, the owner or developer responsible for the project must submit a Notice of Intent (NOI) form (Attachment A) with an appropriate filing fee. Information necessary to support the application is listed in Attachment B, "Information to Support Discharge of Treated Ground Water to Surface Water." The Discharger shall be required to conduct monitoring and reporting and should submit any available data relevant to the proposed discharge and the receiving water with the NOI. The owner or developer shall be authorized to discharge under the terms and conditions of this General Permit only after receiving a written Notice of Applicability (NOA) from the Regional Board Executive Officer, or his or her designee.

6. Wastewater Description

The primary pollutants covered by this Permit are petroleum product and chlorinated hydrocarbon constituents. Petroleum hydrocarbon constituents include total petroleum hydrocarbons measured as gasoline, diesel, kerosene, fuel oil, and heavier carbon ranges; benzene, toluene, ethylbenzene, xylenes; methyl-tertiary-butyl ether (MTBE); tetraethyl lead; and, ethylene dibromide. Chlorinated hydrocarbon constituents include trichloroethene and tetrachloroethene and their secondary degradation products. Other constituents may be present in the polluted water to be treated. Complete lists of constituents covered by this Permit are included in the Discharge Specification section of the Permit.

Wastewater remediated by the treatment unit may typically be generated from the following sources during the investigation and/or remediation of ground water pollution:

- a. Ground water extracted from the underlying aquifer as part of the ground water remediation process.
- b. Potentially polluted ground water generated during aquifer pump tests.
- c. Potentially polluted well development water or purge water generated during ground water monitoring.
- d. Other waste water generated during site investigations or cleanups.

7. Basin Plan

In compliance with the Porter-Cologne Water Quality Control Act, the Regional Board adopted an updated *Water Quality Control Plan for the Lahontan Region* (Basin Plan) that became effective on March 31, 1995. The Basin Plan incorporates SWRCB plans and policies by reference, contains beneficial use designations and water quality objectives for all waters of the Lahontan Region, and provides a strategy for protecting beneficial uses of surface and ground waters throughout the Lahontan Region. The Basin Plan can be accessed on the Internet at <http://r6sweb/R6PM/PDF/BPLAN.PDF>, reviewed at the Regional Board office, or purchased at a nominal cost.

8. Discharge Prohibition Exemption

The proposed discharges covered by this Permit are waters that are treated by methods to achieve nondetectable contaminant concentrations. The discharge specifications of this Order contain a 30-day median effluent limit of less than laboratory detection limits and a daily maximum value that is protective of water quality objectives. The discharge allowed by this General Permit will not individually or collectively, directly or indirectly, affect water quality or result in a pollution or nuisance. Therefore, the proposed discharges may be granted an exemption to waste discharge prohibitions.

9. Beneficial Uses – Surface Water

Designated beneficial uses of surface waters for many locations within the Lahontan Region include: municipal and domestic supply and agricultural supply (MUN, AGR); ground water recharge and freshwater replenishment (GWR, FRSH); water contact and non-contact recreation (REC-1, REC-2); cold freshwater habitat, spawning, reproduction, and development, commercial and sport-fishing (COLD, SPWN, COMM, respectively); wildlife habitat (WILD); water quality enhancement and flood peak attenuation/flood water storage (WQE, FLD).

Select locations may also include designations for: industrial service supply (IND), industrial process supply (PRO), hydropower generation (POW), navigation (NAV), preservation of

biological habitats of special significance (BIOL), aquaculture (AQUA), warm freshwater habitat (WARM), inland saline water habitat (SAL), rare, threatened, or endangered species (RARE), and migration of aquatic organisms (MIGR).

Table 2-1 in the Basin Plan may be consulted for the beneficial use designations for any specific water body.

#### 10. Beneficial Uses – Ground Water

Designated beneficial uses of ground water for typical locations within named ground water basins in the Lahontan Region are municipal and domestic, agricultural, and industrial supply and fresh water recharge (MUN, AGR, IND, FRSH, respectively). Select named ground water basins include designations for aquaculture and wildlife habitat (AQUA, WILD). Unnamed ground water basins have the MUN designation. Table 2-2 in the Basin Plan may be consulted for the beneficial use designations for any specific ground water basin.

#### 11. Established Water Quality Standards

##### SWRCB Resolution No. 68-16

SWRCB Resolution No. 68-16 is a part of the Basin Plan for the Lahontan Region and describes a policy to maintain the high quality waters of the State. Man-made fuel and solvent constituents are not naturally occurring, and thus pre-existing background concentrations of these constituents are considered nondetectable (below current analytical laboratory detection limits) in waters of the Region.

Existing Best Practicable Treatment (BPT) for the treatment of organic constituents in polluted water is capable of reliably removing most man-made constituents to nondetectable levels. The commonly achieved detection limits for these constituents in treated water are as follows:

<b>Constituent</b>	<b>Detection Level</b>	<b>Units</b>	<b>Analytical Methods*</b>
Total Petroleum Hydrocarbons (C <sub>2</sub> – C <sub>15</sub> )	50	µg/l	EPA 8015
Total Petroleum Hydrocarbons (C <sub>16</sub> - C <sub>46</sub> )	100	µg/l	EPA 8015
Benzene	0.1	µg/l	EPA 8260
Ethylbenzene	0.5	µg/l	EPA 8260
Toluene	0.5	µg/l	EPA 8260
Xylene	0.5	µg/l	EPA 8260
Methyl tertiary-butyl ether (MTBE)	0.5	µg/l	EPA 8260
Tertiary butyl alcohol (TBA)	5.0	µg/l	EPA 8260

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Constituent	Detection Level	Units	Analytical Methods*
TAME	0.5	µg/l	EPA 8260
DIPE	0.5	µg/l	EPA 8260
ETBE	0.5	µg/l	EPA 8260
Naphthalene	0.5	µg/l	EPA 8271
Methanol	5.0	µg/l	EPA 8260A
Ethanol	5.0	µg/l	EPA 8260A
Total Lead	1.0	µg/l	EPA 7000
Ethylene Dichloride (EDB)	0.02	µg/l	EPA 8011
1,2 Dichloroethane (1,2 DCA)	0.5	µg/l	EPA 8021
Trichloroethane (1,1,1 TCA)	0.5	µg/l	EPA 8021
Tetrachloroethene(PCE)	0.5	µg/l	EPA 8021
Trichloroethene (TCE)	0.5	µg/l	EPA 8021
Trans-1,2 Dichloroethene (Trans-1,2 DCE)	0.5	µg/l	EPA 8021
Cis-1,2 Dichloroethene (Cis-1,2 DCE)	0.5	µg/l	EPA 8021
1,1 Dichloroethene (1,1 DCE)	0.5	µg/l	EPA 8021
1,1 Dichloroethane (1,1 DCA)	0.5	µg/l	EPA 8021
1,1,2 Trichloroethane (1,1,2 TCA)	0.5	µg/l	EPA 8021
Vinyl Chloride	0.5	µg/l	EPA 8021

\*Alternative analytical methods that provide equivalent detection limits may be proposed in the NPDES Permit application or site specific Sampling and Analysis Plan.

Primary Drinking Water Standards

The State of California and/or the USEPA have set primary drinking water standards for the following hydrocarbon constituents as follows:

Constituent	Level	Units	Consideration
EDB	0.02	µg/l	Primary State of CA MCL
1,2 DCA	0.50	µg/l	Primary State of CA MCL
Benzene	1.0	µg/l	Primary State of CA MCL
Toluene	150	µg/l	Primary State of CA MCL
Xylenes	1750	µg/l	Primary State of CA MCL
Ethylbenzene	300	µg/l	Primary State of CA MCL
MTBE	13	µg/l	Primary State of CA MCL
TBA	12	µg/l	Primary State of CA MCL
Napthalene	170	µg/l	Primary State of CA MCL
Total Lead	15	µg/l	Primary State of CA MCL
PCE	5	µg/l	Primary State of CA MCL

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Constituent	Level	Units	Consideration
TCE	5	µg/l	Primary State of CA MCL
1,1,1 TCA	200	µg/l	Primary State of CA MCL
trans-1,2 DCE	10	µg/l	Primary State of CA MCL
cis-1,2 DCE	6	µg/l	Primary State of CA MCL
1,1 DCE	6	µg/l	Primary State of CA MCL
1,1 DCA	5	µg/l	Primary State of CA MCL
1,1,2 TCA	32	µg/l	Primary State of CA MCL
Vinyl Chloride	0.5	µg/l	Primary State of CA MCL

Secondary Drinking Water Standards

The State of California has set secondary drinking water standards for taste and odor of all constituents at a maximum contaminant level of three threshold odor units (TOU), Section 64473, Title 22, of the California Code of Regulations. The Federal EPA has proposed secondary drinking water standards for a select group of constituents based on a three TOU concentration (Federal Register, Vol. 54, No. 97, pp. 22138, 22139). The following proposed secondary standards are lower than or equal to the primary drinking water standards set for these constituents by the State of California.

Constituent	Level	Units	Consideration
Total Petroleum	50	µg/l	Taste and Odor
Hydrocarbons (C <sub>2</sub> -C <sub>15</sub> )			
Total Petroleum	100	µg/l	Taste and Odor
Hydrocarbons (C <sub>16</sub> -C <sub>46</sub> )			
Toluene	42	µg/l	Taste and Odor
Ethylbenzene	29	µg/l	Taste and Odor
Total Xylenes	17	µg/l	Taste and Odor
MTBE	5	µg/l	Taste and Odor
Napthalene	21	µg/l	Taste and Odor
Methanol	740,000	µg/l	Taste and Odor
Ethanol	760,000	µg/l	Taste and Odor

EPA Health Advisory Levels

The USEPA has established Health Advisory levels for selected petroleum product constituents in ground water as follows:

Constituent	Level	Units	Consideration
Naphthalene	20	µg/l	Health Advisory
MTBE	35	µg/l	Health Advisory

11. Antidegradation

The Regional Board has considered antidegradation pursuant to 40 CFR 131.12 and SWRCB Resolution No. 68-16 and finds that the subject discharges are consistent with the provisions of these policies. An antidegradation analysis is not necessary for this Permit. Discharges not consistent with the provisions of these policies and regulations are not covered by this general Permit.

12. Clean Water Act

Effluent limitations, toxic, and pretreatment effluent standards established pursuant to Sections 301, 302, 304, and 307 of the Clean Water Act and amendments thereto are applicable to the discharge.

13. California Environmental Quality Act Compliance

The action to adopt an NPDES Permit is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000, et seq.) in accordance with Section 13389 of the California Water Code and Section 15263 of the CEQA.

14. California Toxics Rule

The USEPA promulgated the California Toxics Rule (CTR) on August 5, 1997 (62 Federal Register 42160-42208) and the CTR was codified at 40 Code of Federal Regulations section 131.38. The CTR established statewide water quality criteria for priority toxic pollutants for California.

The SWRCB adopted the *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California* (also known as the State Implementation Plan or SIP) on March 2, 2000. The SIP establishes: (1) implementation provisions for priority pollutant criteria promulgated by the USEPA through the National Toxics Rule (NTR) and through the California Toxics Rule (CTR), and for any priority pollutant objectives established in the Basin Plan; (2) monitoring requirements for 2,3,7,8-TCCD equivalents; and (3) chronic toxicity control provisions. All provisions of the SIP became effective as of May 22, 2000 and apply to discharges of toxic pollutants into the inland surface waters of California subject to regulation under the Porter-Cologne Water Quality Control Act (Division 7 of the CWC) and the CWA.

Dischargers applying for coverage under this general NPDES permit are required to submit data on the effluent and the receiving water sufficient to determine if any water quality-based effluent limitation is required in a discharge permit pursuant to the CTR. It is the Discharger's responsibility to provide information requested by the Regional Board

for use in the analysis prior to NOA issuance. Attachment C, CTR Objectives for Priority Pollutants, lists 126 priority pollutants and their applicable CTR water quality objectives. Attachment D, CTR Constituents to be Monitored, lists all 126 priority pollutants but also lists each pollutant's criterion concentration and basis, suggested analytical testing method, and minimum laboratory reporting level. Attachment E, lists the dioxin and furan CTR sampling requirements and Attachment F, contains the reporting requirements for CTR monitoring.

If the data shows concentrations greater than the CTR water quality objectives of one or more of the 126 priority pollutants, a separate individual permit may be required to establish water quality-based effluent limitations, if necessary. The Discharger is in compliance with the monitoring requirements of the updated general NPDES permit if they have been fully responsive to a prior request for CTR information.

15. Notification of Interested Parties

The Regional Board has notified interested agencies and persons of its intent to adopt the General NPDES Permit.

16. Consideration of Public Comments

The Regional Board, in a public hearing, heard and considered all comments pertaining to the General NPDES Permit.

**IT IS HEREBY ORDERED** that all Dischargers indicating their intention to be regulated under the provisions of this General Permit, and all heirs, successors, or assigns, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, and the provisions of the CWA and regulations and guidelines adopted thereunder, shall comply with the following:

**A. Application:**

Dischargers described in Finding No. 1 are eligible for coverage under this General Permit provided that:

1. The Discharger submits to the following address a complete and accurate NOI (Attachment A), project map, and first annual fee to cover the treated ground water discharges to surface waters by the Discharger within the boundaries of the Lahontan Region. The NOI must be signed in accordance with the signatory requirements of Standard Provision B.2. The NOI shall be submitted to either:



**Lahontan Regional Water Quality Control Board  
2501 Lake Tahoe Blvd.  
South Lake Tahoe, CA 96150**

**OR**

**Lahontan Regional Water Quality Control Board  
15428 Civic Drive, Suite 100  
Victorville, CA 92392**

2. The Discharger, upon written request, submits additional information necessary to ascertain whether the discharge meets the criteria for coverage under this General Permit, including, but not limited to, information pertaining to CTR/SIP requirements (See Finding No. 14, above).
3. No discharge under this General Permit is authorized until a written Notification of Applicability (NOA) is received from the Regional Board Executive Officer or his or her designee or the permit application is deemed complete pursuant to Section 65956 of the California Government Code.

**B. Discharge Prohibitions:**

Section 4.1 of the Basin Plan contains prohibitions against the discharge of wastes to surface waters in various locations throughout the Lahontan Region. Any discharge proposed in an area where a discharge prohibition may apply must be evaluated on an individual basis to determine if the discharge would violate the prohibition. In some instances, exemptions may be granted on a case-by-case basis by resolution of the Regional Board, or by the Executive Officer in accordance with Regional Board policy. In addition to the specific prohibitions for various locations in the Region, the following general prohibitions apply throughout the Lahontan Region.

1. The discharge of waste that causes violation of any narrative water quality objective contained in the Basin Plan, including the Nondegradation Objective, is prohibited.
2. The discharge of waste that causes violation of any numeric water quality objective contained in the Basin Plan is prohibited.
3. Where any numeric or narrative water quality objective contained in the Basin Plan is already being violated, the discharge of waste that causes further degradation or pollution (as defined in CWC Section 13050) is prohibited.
4. The discharge of untreated sewage, garbage, or other solid wastes, or industrial wastes into surface waters of the Region is prohibited.

5. For municipal and industrial discharges:

The discharge, bypass, or diversion of raw or partially treated sewage, sludge, grease, or oils to surface waters is prohibited.

The discharge of wastewater except to the designated disposal site (as designated in waste discharge requirements) is prohibited.

“Waste” is defined to include any waste or deleterious material including, but not limited to, waste earthen materials (such as soil, silt, sand, clay, rock, or other organic or mineral material) and any other waste as defined in CWC Section 13050(d).

**C. Solids Disposal**

1. Collected screenings and other solids removed from liquid wastes shall be disposed of in a manner that is consistent with Chapter 15, Division 3, Title 23, of the California Code of Regulations (CCR).
2. Any proposed change in solids use or disposal practice shall be reported to the Executive Officer and USEPA Regional Administrator at least 90 days in advance of the change.

**D. Effluent/Discharge Limitations**

Numerical effluent limitations listed below include 30-day median and daily maximum values. Thirty-day median concentration limits listed below are based on what is achievable by Best Practicable Treatment (BPT). BPT for petroleum and chlorinated hydrocarbon constituents is capable of reliably treating to below laboratory detection limits. Daily maximum values are based on established water quality standards that are protective of beneficial uses of ground and surface waters of the Lahontan Region. Thirty-day median values are to be calculated based on the analytical results of samples obtained over 30 successive days ("running 30-day median"). A sufficient number of samples must be collected and analyzed to demonstrate compliance with the effluent limitations.

Discharge Specifications of this Permit list the 30-day median effluent limitations of specific constituents to be monitored are listed in the NOA issued to the Discharger. If the analytical results of effluent sampling indicate a detectable concentration of a constituent that is listed in the NOA, then sufficient samples must be collected and analyzed during the ensuing 30 days to demonstrate compliance with the 30-day median effluent limitations. The running 30-day median time frame shall begin the day the sample containing a detectable concentration was collected. Any detected concentration above a daily maximum value listed in this Permit is a violation of the Permit.

1. The discharge of an effluent in excess of the following limits is prohibited. All samples of effluent are to be single grab samples.

Constituents	Units	30-Day Median	Daily Maximum
Total Petroleum	µg/l	<50	100
Hydrocarbons (C <sub>2</sub> -C <sub>46</sub> )			
Benzene	µg/l	<0.50	1.0
Toluene	µg/l	<0.50	42.0
Ethylbenzene	µg/l	<0.50	29.0
Total Xylenes	µg/l	<0.50	17.0
Total Lead	µg/l	<1.0*	15.0
Naphthalene	µg/l	<0.5	20
MTBE	µg/l	<0.5	5
TBA	µg/l	<5.0	50
EDB	µg/l	<0.02	0.02
1,2 DCA	µg/l	<0.50	0.50
1,1,1 TCA	µg/l	<0.50	200
PCE	µg/l	<0.50	5.0
TCE	µg/l	<0.50	5.0
Trans-1,2 DCE	µg/l	<0.50	10
Cis-1,2 DCE	µg/l	<0.50	6
1,1 DCE	µg/l	<0.50	6
1,1 DCA	µg/l	<0.50	5
1,1,2 TCA	µg/l	<0.50	32
vinyl chloride	µg/l	<0.50	0.50

\* This 30-day median limit could be set above 1.0 µg/l if the Discharger can demonstrate in the NPDES Permit Application that background Total Lead concentrations in the receiving water are greater than 1.0 µg/l. Any 30-day median limit allowed above 1.0 µg/l will be listed in the NOA. All samples for total lead are to be filtered samples.

## E. Receiving Water Limitations

The following numerical and/or narrative water quality objectives apply to all surface waters, including wetlands, in the Lahontan Region. The discharge of waste to surface waters shall not cause, or contribute to, a violation of the following:

### 1. Ammonia

Ammonia concentrations shall not exceed the values listed in Tables 3-1 to 3-4 of the Basin Plan for the corresponding conditions in these tables.

2. Bacteria, Coliform

Waters shall not contain concentrations of coliform organisms attributable to anthropogenic sources, including human and livestock wastes.

The fecal coliform concentration during any 30-day period shall not exceed a log mean of 20/100 ml, nor shall more than 10 percent of all samples collected during any 30-day period exceed 40/100 ml. *The log mean shall ideally be based on a minimum of not less than five samples collected as evenly spaced as practicable during any 30-day period. However, a log mean concentration exceeding 20/100 ml, or one sample exceeding 40/100ml, for any 30-day period shall indicate violation of this objective even if fewer than five samples were collected.*

3. Biostimulatory Substances

Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect the water for beneficial uses.

4. California Toxics Rule Constituents

Waters shall not contain concentrations of CTR constituents in excess of the CTR water quality objectives listed in Attachment C. The Minimum Reporting Levels in the specified in Attachment D (CTR Constituents to be Monitored) are for use in reporting and compliance determination in accordance with Section 2.4 of the SIP. These minimum levels shall be used until new values are adopted and become effective.

5. Chemical Constituents

Waters designated as MUN shall not contain concentrations of chemical constituents in excess of the maximum contaminant level (MCL) or secondary maximum contaminant level (SMCL) based upon drinking water standards specified by the more restrictive of the CCR, Title 22, Division 4, Chapter 15, or 40 CFR, Part 141.

Waters shall not contain concentrations of chemical constituents in amounts that adversely affect the water for beneficial uses.

6. Chlorine, Total Residual

For the protection of aquatic life, total chlorine residual shall not exceed either a median value of 0.002 mg/L or a maximum value of 0.003 mg/L. Median values shall be based on daily measurements taken within any six-month period.

7. Color

Waters shall be free of coloration that causes nuisance or adversely affects the water for beneficial uses.

8. Dissolved Oxygen

The dissolved oxygen concentration as percent saturation shall not be depressed by more than 10 percent, nor shall the minimum dissolved oxygen concentration be less than 80 percent of saturation.

For waters with the beneficial uses of COLD, COLD with SPWN, WARM, and WARM with SPWN, the minimum dissolved oxygen concentration shall not be less than that specified in Table 3-6 of the Basin Plan.

9. Floating Materials

Waters shall not contain floating material, including solids, liquids, foams, and scum, in concentrations that cause nuisance or adversely affect the water for beneficial uses.

For natural high quality waters, the concentrations of floating material shall not be altered to the extent that such alterations are discernible at the 10 percent significance level.

10. Oil and Grease

Waters shall not contain oils, greases, waxes or other materials in concentrations that result in a visible film or coating on the surface of the water or on objects in the water, that cause nuisance, or that otherwise adversely affect the water for beneficial uses.

For natural high quality waters, the concentration of oils, greases, or other film or coat generating substances shall not be altered.

11. Nondegradation of Aquatic Communities and Populations

All wetlands shall be free from substances attributable to wastewater or other discharges that produce adverse physiological responses in humans, animals, or plants; or which lead to the presence of undesirable or nuisance aquatic life.

All wetlands shall be free from activities that would substantially impair the biological community as it naturally occurs due to physical, chemical and hydrologic processes.

12. Pesticides

For the purposes of this Basin Plan, pesticides are defined to include insecticides, herbicides, rodenticides, fungicides, pesticides and all other economic poisons. An economic poison is any substance intended to prevent, repel, destroy, or mitigate the damage from insects, rodents, predatory animals, bacteria, fungi or weeds capable of infesting or harming vegetation, humans, or animals (CA Agriculture Code § 12753).

Pesticide concentrations, individually or collectively, shall not exceed the lowest detectable levels, using the most recent detection procedures available. There shall not be an increase in pesticide concentrations found in bottom sediments. There shall be no detectable increase in bioaccumulation of pesticides in aquatic life.

Waters designated as MUN shall not contain concentrations of pesticides or herbicides in excess of the limiting concentrations set forth in the CCR, Title 22, Division 4, Chapter 15.

13. pH

In fresh waters with designated beneficial uses of COLD or WARM, changes in normal ambient pH levels shall not exceed 0.5 pH units. For all other waters of the Region, the pH shall not be depressed below 6.5 nor raised above 8.5.

*The Regional Board recognizes that some waters of the Region may have natural pH levels outside of the 6.5 to 8.5 range. Compliance with the pH objective for these waters will be determined on a case-by-case basis.*

14. Radioactivity

Radionuclides shall not be present in concentrations which are deleterious to human, plant, animal, or aquatic life nor which result in the accumulation of radionuclides in the food web to an extent which presents a hazard to human, plant, animal, or aquatic life.

Waters shall not contain concentrations of radionuclides in excess of the limits specified by the more restrictive of the CCR, Title 22, Division 4, Chapter 15, or 40 CFR, Part 141.

15. Sediment

The suspended sediment load and suspended sediment discharge rate of surface waters shall not be altered in such a manner as to cause nuisance or adversely affect the water for beneficial uses.

16. Settleable Materials

Waters shall not contain substances in concentrations that result in deposition of material that causes nuisance or that adversely affects the water for beneficial uses. For natural high quality waters, the concentration of settleable materials shall not be raised by more than 0.1 milliliter per liter.

17. Suspended Materials

Waters shall not contain suspended materials in concentrations that cause nuisance or that adversely affects the water for beneficial uses.

For natural high quality waters, the concentration of total suspended materials shall not be altered to the extent that such alterations are discernible at the 10 percent significance level.

18. Taste and Odor

Waters shall not contain taste or odor-producing substances in concentrations that impart undesirable tastes or odors to fish or other edible products of aquatic origin, that cause nuisance, or that adversely affect the water for beneficial uses. For naturally high quality waters, the taste and odor shall not be altered.

19. Temperature

The natural receiving water temperature of all waters shall not be altered unless it can be demonstrated to the satisfaction of the Regional Board that such an alteration in temperature does not adversely affect the water for beneficial uses.

For waters designated WARM, water temperature shall not be altered by more than five degrees Fahrenheit (5°F) above or below the natural temperature. For waters designated COLD, the temperature shall not be altered.

Temperature objectives for COLD interstate waters and WARM interstate waters are as specified in the "Water Quality Control Plan for Control of Temperature in The Coastal and Interstate Waters and Enclosed Bays and Estuaries of California" including any revisions. This plan is summarized in Chapter 6 (Plans and Policies), and included in Appendix B of the Basin Plan.

20. Toxicity

All waters shall be maintained free of toxic substances in concentrations that are toxic to, or that produce detrimental physiological responses in human, plant, animal, or aquatic life.

The survival of aquatic life in surface waters subjected to a waste discharge, or other controllable water quality factors, shall not be less than that for the same water body in areas unaffected by the waste discharge, or when necessary, for other control water that is consistent with the requirements for "experimental water" as defined in the most recent edition of *Standard Methods for the Examination of Water and Wastewater* (American Public Health Association, et al.).

21. Turbidity

Waters shall be free of changes in turbidity that cause nuisance or adversely affect the water for beneficial uses. Increases in turbidity shall not exceed natural levels by more than 10 percent.

**D. General Requirements**

1. All discharges covered by this Permit shall be limited to treated water from the investigation and remediation of identified or potential ground water pollution. This Permit shall apply only to discharges that meet all conditions:
  - a. The identified pollutants have effluent limitations prescribed in this general Permit.
  - b. The treatment system is capable of reliably meeting all prescribed effluent limitations in this general Permit.
  - c. The general water quality of the discharge is of equal to or better water quality than that of the receiving water. General water quality is to be determined as part of the Permit application process.
2. There shall be no discharge, bypass, or diversion of polluted or partially treated water, sludge, grease, oils, purge water, development water, or pump test water from the collection, transport, or disposal facilities to adjacent land areas or surface waters.
3. The discharge shall not cause pollution as defined in Section 13050 of the California Water Code, or a threatened pollution.
4. Neither the treatment nor the discharge shall cause a nuisance as defined in Section 13050 of the California Water Code (CWC).
5. The discharge of treated wastewater except to the disposal point(s) authorized in the NOA is prohibited.
6. The discharge shall not cause erosion of sediments.



7. When individual Waste Discharge Requirements are issued to a Discharger otherwise subject to this Permit, the applicability of this Permit to the Discharger is automatically terminated on the effective date of the individual Permit.
8. The Discharger shall be subject to the requirements of this general Permit only after an NOA has been issued by the Executive Officer.
9. This Permit does not pre-empt or supersede the authority of other agencies to prohibit, restrict, or control the discharge of treated ground water.

#### **E. Provisions**

1. The Discharger shall comply with all conditions of this Order, including compliance with Monitoring and Reporting Program No. R6T-2004-0025, which is attached to, and made a part of, this Order pursuant to CWC Section 13267. The Discharger shall comply with any additional monitoring and reporting requirements as specified by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability, or revocation of authorization to discharge under this Order.
2. Individuals and companies that apply for coverage and that are responsible for site operations retain primary responsibility for compliance with these requirements, including day-to-day operations and monitoring.
3. A copy of this Order shall be kept at the Discharger's facility for reference by operating personnel. Key operating and site management personnel shall be familiar with its contents and responsible for compliance.
4. The Discharger shall comply with all the applicable items of the "Standard Provisions for NPDES Permits" contained in Attachment G of this Order.
5. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the authorized Discharger, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this Regional Board.

To assume operation under this Order, the succeeding owner or operator must apply in writing to the Executive Officer with a Board Order Transfer Request Form (H). Failure to submit the request shall be considered discharge without requirements, a violation of the CWC. Transfer shall be approved or disapproved in writing by the Executive Officer.

6. The Discharger shall immediately stop any discharge authorized by these requirements in the event there is a violation, or threatened violation, of this General Permit or if the Executive Officer so orders. The Discharger shall notify the Regional Board as soon as

reasonably possible by telephone, with a written confirmation within one week, when a violation of this Order is known to exist. The discharge may not be resumed until authorized in writing by the Executive Officer.

7. The Executive Officer or his or her designee is authorized to issue a single NOA to a Discharger proposing multiple discharges at multiple locations within the Lahontan Region, provided that the nature of the discharges and the locations are reported and included in the application information provided with the NOI for this General Permit.
8. Supplemental information proposing new discharges or discharge locations similar to the discharges and locations authorized in the NOA must be supplied in writing to the Regional Board 30 days prior to discharge. If the new discharges or locations are determined not to be a material change to the NOA, the Discharger will be notified to proceed. If the new proposed discharges or locations are determined to be a material change, not within the original scope of the NOA, the Executive Officer may re-issue a modified NOA or the Discharger may be requested to submit a new NOI for this General Permit or an application for a different general or individual permit.

#### **F. Expiration Date**

This general Permit expires on **June 9, 2009**. However, the general Permit shall continue in force and effective until a new or updated general Permit is issued.

#### **G. National Pollutant Discharge Elimination System**

This Permit shall become the NPDES Permit pursuant to Section 402 of the Federal Water Pollution Control Act or amendments thereto upon its adoption by the Regional Board.

The NPDES Permit becomes effective 10 days after adoption by the Regional Board provided no objection from the USEPA has been received. If the Regional Administrator objects to its issuance, the Permit shall not become effective until such objection is withdrawn.

#### **J. Operation and Maintenance**

The Discharger shall not allow pollutant-free wastewater to be discharged into the collection, treatment, and disposal system in amounts that significantly diminish the system's capability to comply with this Permit. Pollutant-free wastewater may include rainfall, ground water, surface water, cooling waters, and condensates.

#### **K. Permit Reopening, Revision, Revocation and Re-Issuance**

1. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the CWA, or amendments thereto, the Regional Board will revise this General Permit in accordance with such standards.
2. At least 180 days prior to making any change in the method of treatment or other factors which may affect the quality of the discharge, discharge point (Outfall), place of use, purpose of use of the wastewater, the Discharger shall file a new RWD/NPDES application. Any change in the character of the influent shall be reported to the Regional Board within 48 hours.
3. The Discharger shall notify the Regional Board within 30 days when the clean-up activities are complete or the discharge will no longer occur. At that time the Executive Officer will consider revocation of the NOA. Once the NOA is revoked, the discharge will no longer be covered by this Permit and no discharge may occur prior to compliance with provisions of the California Water Code.
4. This General Permit may be reopened to address any changes in State or federal plans, policies or regulations that would affect the requirements for the discharges, or to establish effluent limitations, as necessary.
5. This General Permit may be modified, revoked and reissued, or terminated for cause.

#### **L. Rescission of Waste Discharge Requirements**

Board Order No. 6-98-75 is hereby rescinded on the effective date of this General Permit.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an NPDES Permit adopted by the California Regional Water Quality Control Board, Lahontan Region, on June 9, 2004.

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HAROLD J. SINGER  
EXECUTIVE OFFICER

- Attachments:
- A. NOI
  - B. Information to Support Discharge of Treated Ground Water to Surface Water
  - C. CTR Objectives for Priority Pollutants
  - D. CTR Constituents to be Monitored
  - E. Dioxin and Furan CTR Sampling

UPDATED NATIONAL POLLUTANT  
DISCHARGE ELIMINATION SYSTEM  
PERMIT FOR SURFACE WATER DISPOSAL  
OF TREATED GROUND WATER

-20-

WASTE DISCHARGE REQUIREMENTS  
BOARD ORDER NO. R6T-2004-0025  
NPDES NO. CA G916001

- F. Reporting Requirements for CTR Monitoring
- G. Standard Provisions for NPDES Permits
- H. Board Order Transfer Form
- I. General Provisions for Monitoring and Reporting

BTW/cgT: NPDES.Permits.Update.2004